

**WILLMAR CITY COUNCIL PROCEEDINGS**  
**COUNCIL CHAMBERS**  
**WILLMAR MUNICIPAL UTILITIES BUILDING**  
**WILLMAR, MINNESOTA**

March 16, 2009  
7:00 p.m.

The regular meeting of the Willmar City Council was called to order by Mayor Pro Tempore Doug Reese. Members present on a roll call were Council Members Doug Reese, Ron Christianson, Bruce DeBlieck, Denis Anderson, Steve Ahmann, Rick Fagerlie, Jim Dokken, and Tim Johnson; Present 8, Absent 1 – Mayor Heitke was excused from the meeting.

Also present were City Administrator Michael Schmit, City Attorney Richard Ronning, Fire Chief Marv Calvin, Finance Director Steven Okins, Planning and Development Services Director Bruce Peterson, Community Education and Recreation Director Steve Brisendine, Police Captain David Wyfells, Assistant Engineer Holly Wilson, and City Clerk Kevin Halliday.

The Council requested the City Council Minutes be removed from the Consent Agenda.

Council Member Anderson offered a motion adopting the Consent Agenda which included the following: Municipal Utilities Commission Minutes of March 9; Planning Commission Minutes of March 11; Building Inspection Report for January; and Community Education & Recreation Board Minutes of February 27, 2009. Council Member DeBlieck seconded the motion, which carried.

The Council made reference to City Council Minutes, Public Works/Safety Committee Item No. 1, whereby a representative of the Willmar Design Center appeared to have misspoken when addressing the Committee by stating that the architect would be funded with private funds. Recent minutes of the City/County Economic Development Commission reflect that the Commission has contributed \$10,000 towards the cause. Council Member Christianson moved to table the matter with Council Member Dokken seconding the motion. Following discussion Council Member Christianson withdrew his motion and Council Member Dokken withdrew his second. Council Member Christianson moved to approve the City Council Minutes of March 2, 2009, as presented with Council Member Dokken seconding the motion, which carried.

At 7:09 p.m. Mayor Pro Tempore Reese opened the hearing on 2009 Street and Other Improvements. Assistant Engineer Wilson presented the details of the proposed reconstruction, underground utility work, new construction and miscellaneous improvements, estimating the cost to be \$2.5 million. Kandiyohi County Engineer Gary Danielson was present to explain the City's portion of the improvements to County Roads 41 and 24. Mayor Pro Tempore Reese read into the record a letter from David and Delores Dranenberg regarding difficulties meeting the anticipated assessments on the project. There being no one present to speak for or against the 2009 Street and Other Improvements, Mayor Pro Tempore Reese closed the hearing at 7:21 p.m.

Following discussion, Resolution No. 1 was introduced by Council Member Anderson, seconded by Council Member DeBlieck, reviewed by Mayor Pro Tempore Reese, and approved on a roll call vote of Ayes 8, Noes 0.

**RESOLUTION NO. 1**

**ORDERING 2009 STREET AND OTHER IMPROVEMENTS  
(AND DIRECTING PREPARATION OF FINAL PLANS AND SPECIFICATIONS)**

WHEREAS, after due Notice of Public Hearing on the construction of street and other improvements for the City of Willmar, Minnesota, hearing on said improvements was duly held and the Council heard all persons desiring to be heard on the matter and fully considered the same.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Willmar, Minnesota, as follows:

1. It is advisable, expedient, and necessary that said improvements as described in the Notice of Hearing thereon be constructed, and the same are hereby ordered made.
2. The improvements described in said Notice of Hearing are hereby designated and shall be known as 2009 Street and Other Improvements.
3. The City's Engineer is hereby directed to prepare final plans and specifications for said improvements.
4. The City Council shall let the contract for all or part of the work for said improvements or order all or part of the work done by day labor or otherwise as authorized by Minnesota Statutes, Section 429.041, Subdivision 2, within one year of the date of this resolution ordering said improvements.

Dated this 16<sup>th</sup> day of March, 2009.

/s/ Doug Reese  
MAYOR PRO TEMPORE

/s/ Kevin Halliday  
Attest: CITY CLERK

Mayor Pro Tempore Reese recognized Brad Hanson, David Herzer and Ardel Styles who had signed up to address the City Council during its Open Forum. Mr. Hanson and Mr. Herzer urged the Council to support seat belt legislation. Ms. Styles spoke of storm water problems in her neighborhood.

Mayor Pro Tempore Reese recognized Kathy Aho, Springsted Incorporated, who presented details of the negotiated sale of the \$8,120,000 Municipal Utility Revenue Bonds, Series 2009A. Wells Fargo Brokerage Services, LLC was the low bidder with a 4.5894 percent interest rate. Following discussion, Resolution No. 2 was introduced by Council Member Anderson, seconded by Council Member Ahmann, reviewed by Mayor Pro Tempore Reese, and approved on a roll call vote of Ayes 8, Noes 0.

#### RESOLUTION NO. 2

#### ACCEPTING OFFER ON THE SALE OF \$8,120,000 MUNICIPAL UTILITY REVENUE BONDS, SERIES 2009A, AND PROVIDING FOR THEIR ISSUANCE

(For Resolution in its entirety, see City Council minutes file dated  
March 16, 2009, located in the City Clerk's Office)

The Finance Committee Report for March 9, 2009, was presented to the Mayor and Council by Council Member Anderson. There were seven items for Council consideration.

Item No. 1 Staff informed the Committee that Kennedy & Graven, representing the City of Willmar, has concluded negotiations with two property owners along the WWTP Interceptor path. One of the proposed settlements, which include damages for the value of mature trees in Parcel 92 owned by Dale and Bonita Lindquist, is \$81,000.

The Committee was recommending the Council introduce a resolution approving the settlement of \$81,000 for Dale and Bonita Lindquist, Parcel 92, and authorizing the Mayor to execute the settlement documents. Resolution No. 3 was introduced by Council Member Anderson, seconded by Council Member Dokken, reviewed by Mayor Pro Tempore Reese, and approved on a roll call vote of Ayes 7, Noes 0, Council Member Johnson abstained from voting.

#### RESOLUTION NO. 3

BE IT RESOLVED by the City Council of the City of Willmar, a municipal corporation of the State of Minnesota, that the Mayor and City Clerk be authorized to sign a settlement agreement dated March 2, 2009, between the City of Willmar and Dale C. Lindquist and Bonita L. Lindquist in the amount of \$81,000 for damage of property along the Waste Water Treatment Plant interceptor path.

Dated this 16<sup>th</sup> day of March, 2009.

/s/ Doug Reese  
MAYOR PRO TEMPORE

/s/ Kevin Halliday  
Attest: CITY CLERK

The second proposed settlement, which includes damages for the value of mature trees in Parcel 82 owned by Marie Schroeder, is \$37,000. The Committee was recommending the Council introduce a resolution approving the settlement of \$37,000 for Marie Schroeder, Parcel 82, and authorizing the Mayor to execute the settlement documents. Resolution No. 4 was introduced by Council Member Anderson, seconded by Council Member Ahmann, reviewed by Mayor Pro Tempore Reese, and approved on a roll call vote of Ayes 7, Noes 0, Council Member Johnson abstained from voting.

#### RESOLUTION NO. 4

BE IT RESOLVED by the City Council of the City of Willmar, a municipal corporation of the State of Minnesota, that the Mayor and City Clerk be authorized to sign a settlement agreement dated March 17, 2009, between the City of Willmar and Marie Schroeder in the amount of \$37,000 for damage of property along the Waste Water Treatment Plant interceptor path.

Dated this 16<sup>th</sup> day of March, 2009.

/s/ Doug Reese  
MAYOR PRO TEMPORE

/s/ Kevin Halliday  
Attest: CITY CLERK

The Committee was also informed that a three-person panel of Court Appointed Commissioners has ruled on several other parcels along the interceptor path. Of the six acreages presented, it is Staff's recommendation that the City appeal the commissioners' award of \$53,500 for Parcels 4 and 5, Kvam Limited Partnership; \$122,250 for Parcels 8 and 9, Mark Kvam; and \$65,000 for Parcels 11, 12 and 14, for Tom Kvam. An appeal of the award for the remaining 3 acreages listed was not being recommended because the commissioners' award was either the same or slightly higher than the City's appraisal.

The Committee was recommending the Council adopt a motion to proceed with the City's appeal of the commissioners' award of \$53,500 for Parcels 4 and 5; \$122,250 for Parcels 8 and 9; and \$65,000 for Parcels 11, 12 and 14. Council Member Anderson moved to approve the recommendation of the Finance Committee with Council Member Dokken seconding the motion, which carried. Council Member Johnson abstained from voting.

Item No. 2 Staff briefly reviewed with the Committee the historical facts surrounding the violations cited by the Environmental Protection Agency at the new Municipal Airport during its construction. In 2003, the contract for grading work at the new airport site was awarded. During their inspection of this grading project in January, 2004, the Minnesota Pollution Control Agency noted that the silt fencing was knocked down and subsequently notified the EPA. In November, 2004 the EPA inspected the grading project and noted similar violations. In 2008 the Contractor was notified by the EPA that a civil penalty would be incurred against the company. In December, 2008, the City received a letter from the EPA that a civil penalty would be charged to the City of Willmar as well and could be as much as \$90,000 for seven alleged violations. Since then, there have been several phone conferences

with the EPA to discuss this matter. Staff recommends the City offer to pay \$11,000 for one violation. Further, reimbursement should be pursued from HNTB, the architectural firm that served as on-site construction manager, as this problem should have been resolved early on during the project. The EPA has stated that they would accept this final offer.

The Committee was recommending the Council pass a motion to approve the \$11,000 payment to the EPA for one violation and to authorize the City Attorney to pursue this matter with HNTB. Council Member Anderson moved to approve the recommendation of the Finance Committee with Council Member Dokken seconding the motion, which carried.

Item No. 3 Staff presented the City of Willmar Investment Policy to the Committee for its annual review. Revisions are being proposed to Section 9.0, Collateralization:

- A. "...certificates of deposit where the par value exceeds the FDIC \$100,000 insurance level..." should be replaced with "...certificates of deposit where the par value exceeds the *Federal Deposit Insurance Corporation (FDIC) coverage limit...*"
- B. "...In order to anticipate market changes and provide a level of security for all funds, the collateralization level *will be (110%) of market value of principal and accrued interest...*" should be replaced with "...In order to anticipate market changes and provide a level of security for all funds, the collateralization level *shall be at least 10 percent more than the amount on deposit at the close of the financial institution's banking day, except when the collateral is irrevocable standby letters of credit issued by the Federal Reserve Bank. In that case, the amount of collateral must be at least equal the amount of deposit...*"

The Committee was recommending the Council approve the revisions to the City of Willmar's Investment Policy in Section 9.0, Collateralization, as presented by Staff. Council Member Anderson moved to approve the recommendation of the Finance Committee with Council Member Dokken seconding the motion, which carried.

Item No. 4 The Committee discussed with Staff the Preliminary 2009 Street Improvement Budget recently approved. Staff requested a language revision be made under the Revenue section, "Property Owners" should be changed to "PIR Fund". Following discussion, the Committee was recommending the Council adopt a Resolution amending the Preliminary 2009 Street Improvement Budget as recommended.

Resolution No. 5 was introduced by Council Member Anderson, seconded by Council Member Dokken, reviewed by Mayor Pro Tempore Reese, and approved on a roll call vote of Ayes 8, Noes 0.

#### RESOLUTION NO. 5

##### PRELIMINARY 2009 IMPROVEMENT BUDGET ESTIMATED TOTAL COST \$2,549,000

PERSONNEL SERVICES		RECEIVABLES	
Overtime Reg. Employees	\$500.00	Property Owners	\$348,800.00
Salaries Temp. Employees	<u>\$1,000.00</u>	County	\$200,000.00
TOTAL	\$1,500.00	State	\$695,000.00
		City (WWTP)	\$242,000.00
SUPPLIES		City (MUC)	\$55,000.00
Office Supplies	\$500.00	Utility Fee	\$400,000.00
Small Tools	\$500.00	LOST	<u>\$608,200.00</u>
Motor Fuels & Lubricants	\$2,000.00	TOTAL	\$2,549,000.00
Postage	\$1,000.00		
Mtce. of Other Improvements	\$500.00	FINANCING	

General Supplies	<u>\$1,000.00</u>	PIR Fund	\$348,800.00
TOTAL	\$5,500.00	County	\$200,000.00
OTHER SERVICES		State	\$695,000.00
Printing & Publishing	\$2,000.00	City (WWTP)	\$242,000.00
Subsistence of Persons	\$1,955,000.00	City (MUC)	\$55,000.00
Other Services (contingency, misc.)	<u>\$401,000.00</u>	Utility Fee	\$400,000.00
TOTAL	\$2,358,000.00	LOST	<u>\$608,200.00</u>
		TOTAL	\$2,549,000.00
OTHER CHARGES		GRAND TOTAL	\$2,549,000.00
Insurance & Bonds	\$2,000.00		
Prof. Serv. (Testing, Barr)	\$15,000.00		
Adm. OH (Transfer)	\$157,000.00		
Other Charges	<u>\$10,000.00</u>		
TOTAL	\$184,000.00		
GRAND TOTAL	\$2,549,500.00		

Dated this 16<sup>th</sup> day of March, 2009.

/s/ Doug Reese  
MAYOR PRO TEMPORE

/s/ Kevin Halliday  
Attest: CITY CLERK

**Item No. 5** Staff requested a revision be made to the Land & Legal Section of the WWTP Relocation Budget to transfer \$30,000 from Professional Services Line 0446 to Other Charges Line 0449 for Viewer/Appraisal services. The Committee was recommending the Council adopt a Resolution amending the WWTP Relocation Budget as requested. Resolution No. 6 was introduced by Council Member Anderson, seconded by Council Member Dokken, reviewed by Mayor Pro Tempore Reese, and approved on a roll call vote of Ayes 8, Noes 0.

#### RESOLUTION NO. 6

#### WWTP Relocation Budget Summary \$86,218,712

OTHER SERVICES		RECEIVABLES	
Mtce. Of Other Improvements	\$69,497,023	Federal-STAG Grant	\$477,900
Other Services	<u>\$3,783,220</u>	State-TMDL Grant	\$500,000
TOTAL	\$73,280,243	City	\$500,812
		Other-PFA	<u>\$84,740,000</u>
OTHER CHARGES		TOTAL	\$86,218,712
Professional Services	\$11,695,642		
Other Charges	<u>\$1,242,827</u>	FINANCING	
TOTAL	\$12,938,469	Bonds-PFA SRF	\$77,740,000
		State-PFA WIF	\$7,000,000
GRAND TOTAL	\$86,218,712	City-WTP Reserves	\$500,812
		Other-Grants	<u>\$977,900</u>
		TOTAL	\$86,218,712

Dated this 16<sup>th</sup> day of March, 2009.

/s/ Doug Reese

MAYOR PRO TEMPORE

/s/ Kevin Halliday  
Attest: CITY CLERK

Item No. 6 Staff presented a list of funds to the Committee and explained various groups, including general fund, special revenue funds, debt service funds, capital projects funds, the enterprise fund which is for the Waste Treatment Plant, internal services funds, and trust/agency funds. This matter was for information only.

Item No. 7 The Committee reviewed the 2008 Interest/Dividends, the 4<sup>th</sup> Quarter Investment Activity, and the 12/31/2008 Investment Portfolio. This matter was for information only.

The Finance Committee Report for March 9, 2009, was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member Anderson, seconded by Council Member Fagerlie, and carried.

The Public Works/Safety Committee Report for March 10, 2009, was presented to the Mayor and Council by Mayor Pro Tempore Reese. There were five items for Council consideration.

Item No. 1 The Committee considered a cooperative construction agreement prepared by Kandiyohi County detailing the responsibilities of the City and County in the construction improvements to segments of both County Road 41 and County Road 24.

The County shall act as the agent of the City in administration of the contract, and the City's share includes water main, sanitary and storm sewer utilities, and curb and gutter. The total estimated project cost is \$3,087,589.55 with the City share being \$203,038.00, the County \$2,884,551.55. There was also direction given to staff to send notices to all residents adjacent to the project within City limits.

The Committee was recommending the Council approve the agreement as presented and authorize the Mayor and City Administrator to enter into the agreement on behalf of the City. Following discussion, Resolution No. 7 was introduced by Mayor Pro Tempore Reese, seconded by Council Member Fagerlie, and approved on a roll call vote of Ayes 8, Noes 0.

#### RESOLUTION NO. 7

#### AUTHORIZATION TO EXECUTE KANDIYOHI COUNTY COOPERATIVE CONSTRUCTION AGREEMENT

BE IT RESOLVED by the City Council of the City of Willmar, a municipal corporation of the State of Minnesota, that the Mayor and City Administrator be authorized to enter into a Cooperative Construction Agreement between the City of Willmar and Kandiyohi County for construction of County Road 41 from 1.61 miles North of TH 12 to County Road 25, County Road 24 from County Road 41 to 0.288 miles East, and County Road 24 from 0.288 miles East of County Road 41 to 0.308 miles East.

Dated this 16<sup>th</sup> day of March, 2009.

/s/ Doug Reese  
MAYOR PRO TEMPORE

/s/ Kevin Halliday  
Attest: CITY CLERK

The Committee considered a Resolution relating to parking restrictions on County Roads 41 and 24 required by the State of Minnesota in order to utilize State Aid Funds on the improvements. The restrictions allow for only parallel parking of motor vehicles on both these road segments. The Committee was recommending the Council approve the parking restrictions to parallel parking only to these segments of County Roads 41 and 24. Resolution No. 8 was introduced by Mayor Pro Tempore Reese,

seconded by Council Member Fagerlie, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 8

RELATING TO PARKING RESTRICTIONS on SP 34-641-07, SP 34-624-08, AND SAP 34-624-09; CSAH 41 and CSAH 24; County Road 41 from 1.61 miles north of TH 12 to CSAH 25 and County Road 24 from County Road 41 east 0.60 miles for segments in the City of Willmar.

WHEREAS, the "City" has approved the improvement of County Road 41 from 1.61 miles north of TH 12 to CSAH 25, County State Aid Route SP 34-641-07; and County Road 24 from County Road 41 east 0.60 miles, County State Aid Route No. 34-624-09 and SAP 34-624-09 in the City of Willmar, Minnesota; and

WHEREAS, the "City" will be expending Municipal Street Aid Funds on the improvements of this street; and

WHEREAS, this improvement does provide adequate width for parallel parking on both sides of the street; and approval of the proposed construction as a County/Municipal State Aid Street Project must therefore be conditioned upon certain parking restrictions.

NOW, THEREFORE, BE IT RESOLVED that the "City" shall only allow parallel parking of motor vehicles on County Road 41 from 1.61 miles north of TH 12 to CSAH 25 and County Road 24 from County Road 41 east 0.60 miles for those segments within the City of Willmar.

Dated this 16<sup>th</sup> day of March, 2009.

/s/ Doug Reese  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Staff explained a resolution approving the design of the same two segments of County Roads 41 and 24 will be needed in order to receive Federal funding for the projects. Resolution No. 9 was introduced by Mayor Pro Tempore Reese, seconded by Council Member DeBlieck, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 9

APPROVING COUNTY PROJECT WITHIN MUNICIPAL CORPORATE LIMITS

WHEREAS, plans for Project No. SAP 34-624-09, SP 34-641-07; SP 34-624-08 showing proposed alignment, profiles, grades, and cross-sections for the construction, reconstruction or improvement of County State-Aid Highway Nos. 24 and 41 within the limits of the City as a Federal Aid Project have been prepared and presented to the City.

NOW, THEREFORE, BE IT RESOLVED: That said plans be in all things approved.

Dated this 16<sup>th</sup> day of March, 2009.

/s/ Doug Reese  
MAYOR PRO TEMPORE

/s/ Kevin Halliday  
Attest: CITY CLERK

Item No. 2 The Committee reviewed information introduced at a legislative session pertaining to revisions in the seat belt law including the ability of a peace officer to lawfully stop or detain the driver of a motor vehicle to issue a citation for this purpose. The Committee discussed the City's possible position on this legislative amendment and submittal of Resolution of support. Resolution No. 10

was introduced by Mayor Pro Tempore Reese, seconded by Council Member DeBlieck, and approved on a roll call vote of Ayes 8, Noes 0.

#### RESOLUTION NO. 10

WHEREAS, unbelted traffic deaths resonate beyond the victim and their families including major cost factors such as emergency response, medical assistance, unemployment compensation, increased vehicle and healthcare insurance premiums, and strain law enforcement and emergency response resources;

NOW, THEREFORE, BE IT RESOLVED that the City Council in and for the City of Willmar hereby declares its support for H.F. 108 as introduced in the 86<sup>th</sup> Legislative Session (2009 – 2010), a Bill relating to traffic regulations, making seat belt violations a primary offense.

Dated this 16<sup>th</sup> day of March, 2009.

/s/ Doug Reese  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Item No. 3 Rhonda Rae of Donohue and Associates briefed the Committee on February activities related to the relocation of the Wastewater Treatment Plant. Areas currently under construction at the new building site include the oxidation ditches and head works structure. The contractor continues forming and pouring and the installation of under slab process piping and site utility piping. Conveyance D-5 has suspended work for the winter, and the D4 contractor is continuing to work having installed 10,500 feet of 54 inch interceptor, 2,500 feet of force main and completed the outfall.

The contractor for D-3 does not plan on installing any pipe in City streets until the spring of 2009 and meetings will be held with property owners prior to start of construction. The contractor has submitted information on the boring methods of installing pipe under the railroad for review.

Program management activities included continued meetings with staff to discuss funding and finance issues; submittal of pay request 10 to the Public Facilities Authority for the Clean Water Revolving Fund Loan and Wastewater Improvement Fund. Pay Request No. 3 was submitted to PFA for the Total Maximum Daily Load Grant. This mater is for information only.

Item No. 4 Staff presented to the Committee plans and specifications for Project 0809, which is a 3,050 foot path development that includes the segment along North Business 71 starting in the vicinity of the Flags of Honor Memorial north to Civic Center Drive and crosses there to the east side of the road along the MinnWest Technology Campus.

The Committee was recommending the Council approve the plans and specifications for Project No. 0809 and authorize advertisement for bids. Resolution No. 11 was introduced by Mayor Pro Tempore Reese, seconded by Council Member DeBlieck, and approved on a roll call vote of Ayes 8, Noes 0.

#### RESOLUTION NO. 11

WHEREAS the City Engineer of the City of Willmar has presented to the City Council plans and specifications for Project No. 0809 (Path Improvements) for the City of Willmar;

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Willmar that:

Final plans and specifications are hereby approved, and publication of the advertisement for bids is herewith authorized. Bids will be publicly opened and read at 1:00 p.m. on the 14th day of April, 2009,



at the City Office Building, 333 Southwest Sixth Street, Willmar, Minnesota.

Dated this 16<sup>th</sup> day of March, 2009.

/s/ Doug Reese  
MAYOR PRO TEMPORE

/s/ Kevin Halliday  
Attest: CITY CLERK

Item No. 5 The Committee considered a STIP Candidate Submittal Form for construction of a walk path along County Roads 41 and 24 in conjunction with the County's project on these roadways. The project includes further grading, gravel base and paving of the path in the year 2010. Staff was recently made aware that funding became available due to the Economic Stimulus Bill.

The Committee was recommending the Council authorize Staff to apply for the federal reimbursement. Resolution No. 12 was introduced by Mayor Pro Tempore Reese, seconded by Council Member DeBleck, and approved on a roll call vote of Ayes 8, Noes 0.

#### RESOLUTION NO. 12

BE IT RESOLVED, by the City Council of the City of Willmar to support Staff's submittal of a STIP Candidate Application to fund a walk path along County Roads 41 and 24.

Dated this 16<sup>th</sup> day of March, 2009.

/s/ Doug Reese  
MAYOR PRO TEMPORE

/s/ Kevin Halliday  
Attest: CITY CLERK

The Community Development Committee was presented to the Mayor and Council by Council Member DeBleck. There were seven items for Council consideration.

Item No. 1 The Committee considered an ordinance to regulate dogs in outdoor restaurants. It was noted that participation of restaurants is optional and regulated by licensing. The Committee discussed liability insurance limits and the amount of the suggested license fee. The Committee was recommending to the Council that the ordinance be introduced. Council Member DeBleck offered a motion to introduce the Ordinance Regulating Dogs in Outdoor Restaurants and set a public hearing on April 6, 2009, with Council Member Anderson seconding the motion. Following discussion, Council Member DeBleck moved to amend the Ordinance, Section 2.e to read "A fee schedule for the license is on file in the City Clerk's Office." Council Member Ahmann seconded the motion, which carried. The original motion as amended then carried.

Item No. 2 Steve Renquist and Jean Spaulding, City-County Economic Development Commission, presented to the Committee a request by an as yet unnamed Willmar business for a Minnesota Investment Fund loan to acquire equipment. The business expects 8-13 new jobs to be created at a wage of over \$12 per hour. Other financing tools are being considered.

Details of the request are to be clarified prior to the March 16, 2009, Council meeting. To move forward with the MIF grant/loan program in a timely manner, it is necessary to conduct a public hearing on the use of the program for the pending request. The Committee was recommending that a public hearing be set for April 6, 2009 to consider the MIF grant/loan program for the business to be named. The Economic Development Commission indicated earlier that additional details are pending and they are reconsidering action required. This matter was for information only.

Item No. 3 The Committee reviewed the current fee schedule for the rental housing inspection program. It was noted that the fees collected fell far short of covering the cost of the Staff responsible for the

program. The Committee discussed the issue of timing for any increase in fees, given the current economic conditions. Staff suggested the fees be increased to better represent the cost of providing the service. Following discussion, it was a consensus of the Committee that staff return with a revised fee schedule for consideration, and that implementation be delayed until 2010. This matter was for information only.

Item No. 4 Staff provided an update on the status of the Comprehensive Land Use Plan. A draft Plan is set to go to the Planning Commission by April 1, 2009, and to the Council for consideration and adoption in late April or early May. This matter was for information only.

Item No. 5 Staff updated the Committee on the status of land releases for the former airport property. Progress has been made on the primary land release area, which is the entire site with the exception on the terminal building/area. The environmental work has been completed and is under review. Barring any unforeseen issues arising, a negative declaration should be made in April and a release letter should be obtained from the FAA shortly thereafter. This matter was for information only.

Item No. 6 Following up on past action by the Council to pursue garbage can violations, Staff informed the Committee that the system of tagging garbage cans that have been left out by the street has been successful and Staff is noticing fewer repeat violators. This matter was for information only.

Item No. 7 The Committee asked Staff about the resident expectations pamphlet that was proposed earlier. Staff informed the Committee of a joint effort between the Department of Planning and Development Services and Police Department to prepare such a document. A Ridgewater College student under the direction of Police Officer Dorn has prepared a handout containing City ordinances/regulations, and it has been reviewed and approved by Staff. It was suggested that the materials be distributed during rental inspections, by realtors, and be made available at other places frequented by new community residents. Staff will follow up on distribution of the materials. This matter was for information only.

The Community Development Committee Minutes for March 12, 2009, were approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member DeBlick, seconded by Council Member Christianson, and carried.

The Council considered an Ordinance to amend landscape requirements in the Zoning Ordinance. Planning and Development Services Director Peterson presented details of the proposed changes and noted the Planning Commission has approved the draft changes. Council Member Anderson offered a motion to introduce an Ordinance Amending No. 1060, Willmar Zoning Ordinance, by Amending Section 3.P Landscaping and schedule a hearing for April 6, 2009. Council Member Dokken seconded the motion, which carried.

The Council was informed by City Clerk Halliday that the Civic Center has rented space to the West Central Builders Association, a non-profit corporation, who plans to hold a three-day show April 3 – 5, 2009. WCBA plans to offer free alcohol to their members after closing hours. A Civic Center Arena Special Event Permit is required to distribute or consume alcohol on the Civic Center grounds. The Kandi Entertainment Center, as the On-sale Liquor License Holder, has applied for the permit. Following discussion, Council Member Anderson moved to approve the Civic Center Arena Special Permit as presented with Council Member Fagerlie seconding the motion which carried on a roll call vote of Ayes 6, Noes 0, and Council Members Christianson and Ahmann abstained.

Announcements for Council Committee meeting dates were as follows: Finance, March 23; and Public Works/Safety, March 31, 2009.

Fire Chief Calvin presented to the Council the 2008 annual report for the Fire Department. Following a question and answer period, the report was ordered placed on file in the City Clerk's Office.

Planning and Development Services Director Peterson presented to the Council the 2008 annual report for the Planning and Development Services Department. Following a question and answer period, the report was ordered placed on file in the City Clerk's Office.

There being no further business to come before the Council, the meeting adjourned at 9:50 p.m. upon motion by Council Member Ahmann, seconded by Council Member Anderson, and carried.

Attest:

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
SECRETARY TO THE COUNCIL